

Department of Legislative Services
 Maryland General Assembly
 2024 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 493 (Senator Kagan)
 Education, Energy, and the Environment

Elections – Ranked–Choice Voting – Contests for Presidential Nomination in 2028

This bill requires that, notwithstanding any other provision of the Election Law Article, in the 2028 statewide primary election, each contest for the nomination by a political party of a candidate for the office of President of the United States be conducted using ranked-choice voting. **The bill takes effect October 1, 2024, and terminates September 30, 2029.**

Fiscal Summary

State Effect: General fund expenditures increase by \$501,000 in FY 2027 and by \$1.9 million in FY 2028. Revenues are not affected.

(in dollars)	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	0	0	501,000	1,861,000	0
Net Effect	\$0	\$0	(\$501,000)	(\$1,861,000)	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Local government expenditures increase, collectively, by \$100,000 in FY 2027 and by \$1.6 million in FY 2028. Revenues are not affected. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: Minimal.

Analysis

Bill Summary:

“Ranked-choice Voting” Definition

“Ranked-choice voting” means a method of casting and tabulating votes in which voters rank candidates in order of preference and votes are tabulated in a manner that reflects voter preference.

Voter Education Campaign

The bill requires the State Board of Elections (SBE) to (1) develop and pay the cost of a voter education campaign to inform voters about ranked-choice voting and (2) share the voter education campaign with the local boards of elections.

Survey and Reporting Requirements

The bill requires SBE to conduct and pay the cost of a survey of voters after the primary election to gauge the satisfaction of the voters with ranked-choice voting.

By January 1, 2029, SBE must submit a report to the Governor and the General Assembly that includes (1) a summary of the results of the survey; (2) any administrative obstacles to implementing ranked-choice voting; (3) whether ranked-choice voting caused more voters to mark their ballots incorrectly; and (4) recommendations regarding the implementation of ranked-choice voting in future elections. The report must be distributed to the local boards and posted on SBE’s website.

Current Law:

Uniform Election Process

State election law, which generally governs all elections except municipal elections (other than in Baltimore City), requires that the electoral process for primary elections, general elections, and special elections be uniform, except where it would be inappropriate, or where exceptions are provided for in the law.

Voting/Tabulation Method

Generally, in elections governed by State election law, voters are able to choose in each race a number of candidates equal to the number of offices being filled in that race (e.g., one candidate in a State Senate race and three candidates in some House of Delegates

aces), and the winners are nominated or elected based on which candidates receive the greatest number of votes.

State and Local Expenditures: State and local expenditures increase, as shown in **Exhibit 1**. State general fund expenditures increase by \$501,000 in fiscal 2027 and by \$1.9 million in fiscal 2028. Local government expenditures increase, collectively, by \$100,000 in fiscal 2027 and by \$1.6 million in fiscal 2028.

This estimate assumes that work is begun, to implement the bill, in fiscal 2027 to make modifications to SBE's election management system, and to develop ranked-choice voting tabulation software, with the assistance of a subject matter expert or experts. However, the majority of costs of implementing the bill occur in fiscal 2028, when the 2028 statewide primary election occurs. The estimate:

- makes certain assumptions about the allocation of costs between SBE and the local boards of elections, generally consistent with current cost-sharing;
- assumes the presidential race will be on a separate ballot card from other contests being voted on in the 2028 statewide primary elections (resulting in increased ballot costs); and
- assumes additional resources are needed at high-volume polling places to mitigate additional time added to the voting process by ranked-choice voting.

Any costs incurred by SBE to conduct the survey required by the bill and prepare the report have not been quantified at this time and are not accounted for in this estimate.

**Exhibit 1
State and Local Expenditures**

Cost Category		FY 2027	FY 2028
State (General Funds)	Election Management System Modification	\$300,000	\$300,000
	Tabulation Software	100,000	100,000
	Subject Matter Expert(s)	101,000	101,000
	Other Contractual Services		64,000
	Voter Outreach		500,000
	Increased Paper Ballot Costs		443,000
	Additional Voting Equipment		353,000
	Total	\$501,000	\$1,861,000
Local	Tabulation Software	\$100,000	\$100,000
	Other Contractual Services		49,000
	Increased Paper Ballot Costs		443,000
	Increased Specimen Ballot Costs		88,000
	Additional Voting Equipment		353,000
	Additional Election Judges		105,000
	Increased Election Staff Costs		206,000
	Increased Voting Equipment Testing		284,000
Total	\$100,000	\$1,628,000	

Source: Department of Legislative Services

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Baltimore City; Howard and Prince George's counties; Maryland State Board of Elections; Department of Legislative Services

Fiscal Note History: First Reader - March 3, 2024
km/sdk

Analysis by: Arnold H. Adja

Direct Inquiries to:
(410) 946-5510
(301) 970-5510